

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF TENTATIVE
DECISION TO APPROVE A MINING AND
RECLAMATION PLAN FOR WESTERN
CLAY'S HEBE GYPSUM MINE, EMERY
COUNTY, UTAH

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NOTICE OF TENTATIVE
DECISION TO APPROVE
NO. M/015/072

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL
AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN SECTION
13, 14, 15, 23 AND 24, TOWNSHIP 24 SOUTH, RANGE 7 EAST, SLBM, EMERY COUNTY,
UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to
approve Western Clay Company's Mining and Reclamation Plan for the Hebe Gypsum Mine. Mining
activities and access roads will effect the following area: S1/2 of the SW1/4 of Section 13; SW1/4 of the
SW1/4 Section 14; S1/2 Section 15; N1/2 of NE1/4 and N1/2 of the NW1/4 of Section 23; N1/2 of the
NW1/4 of Section 24; Township 24 South, Range 7 East, SLBM, Emery County, Utah.

The operator will employ the following mining and reclamation techniques on approximately
88.67 acres of federal (BLM) land.

During Operations: Gypsum is exposed and visible on the proposed mine area. Overburden and
topsoil (Cryptobiotic crust) will be removed with a dozer and excavator and stockpiled for use in
reclamation. The gypsum will be fractured by drilling and blasting. A road reclaimer type machine may
also be used to mine the gypsum instead of drilling and blasting. Mined gypsum will be loaded into trucks
using a front end loader. The gypsum will be trucked to Western's plant in Aurora for processing. Dust
will be controlled at the mine site by water sprays on the road reclaimer or water truck. Dust from the haul
road will be controlled by using mag chloride and/or a water truck. Water for dust control will be obtained
off site. The current access road from the county road will be widened and a turnaround is proposed to be
constructed at each end. The main access road is included in the Right-of-Way agreements with the BLM
and SITLA. Roads accessing the mine areas will include culverts or crossings as needed. Endangered
cacti will be removed for storage and later transplanting as mining advances according to U.S. Fish and
Wildlife mitigation plan. Cacti will be transplanted directly when these areas are being concurrently
reclaimed. Seed from the cacti will be collected annually in advance of mining activities within that area.

Following Operations: All equipment and debris from operations will be removed from the site.
Hard surfaces such as roads or staging areas will be ripped to a minimum depth of twelve inches with a
dozer. Soils salvaged along the main access road will be spread or regraded onto the ripped areas. A
loader will be used to transfer the stockpiled overburden and sub-grade gypsum onto the mine area to be


reclaimed, or this material will be loaded into a truck for placement on the area to be reclaimed. A dozer and road grader will be used to spread this material and grade the area to blend in with the natural contours. The surface of this area will be left in a roughened condition to enhance soil and water retention. The Cryptobiotic soils will be spread over this area using a mechanical spreader. This area will be seeded with the BLM seedmix using a drill seeder or broadcast seeder as access allows. All culverts and drainage diversions will be removed and the natural drainages restored to their approximate original condition.

The person representing the company is Mr. Neal Mortensen; Phone (801) 529-3281. Western Clay Company is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 27th day of June, 1997

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



James W. Carter
Director

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Approval for Western Clay Company's Hebe Gypsum Mine project to be mailed by first class mail, postage prepaid, the 27th day of June, 1997 to:

FACSIMILE: 237-2520
Salt Lake Tribune
Legal Advertising
143 South Main
P.O. Box 867
Salt Lake City, Utah 84110-0867


Castle Valley Ranch
1200 Oakhills Way
Salt Lake City, Utah 84101

Wayne Gremel, Manager
Castle Valley Ranch
P.O. Box 557
Emery, Utah 84522

FACSIMILE: (801) 637-2716
Emery County Progress
76 West Main Street
P.O. Box 870
Price, Utah 84501-0870

CERTIFIED RETURN RECEIPT

P 074 976 590
Neal Mortensen
Western Clay Company
508 East Center
P.O. Box 127
Aurora, Utah 84620


Joelle Burns, Secretary

Dean Nyffeler
Bureau of Land Management
San Rafael Resource Area
P.O. Box 7004
Price, Utah 84501

Bryant Anderson
Emery County Planning and Zoning
95 East Main
P.O. Box 907
Castledale, Utah 84513

Morgan Robertson
P.O. Box 65
Emery, Utah 84522